

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO

CITY WINGS, INC. and JODA, LLC

Plaintiffs

vs

CIVIL 01-2714CCC

TRI-CONTINENTAL EXCHANGE, LTD.  
NORTH STAR REINSURANCE GROUP,  
INC.  
COMBINED SERVICES LIMITED  
NATIONWIDE INSURANCE COMPANY  
OF AMERICA  
UNIVERSAL INSURANCE SERVICES, INC.  
JOHN DOE INSURANCE COMPANY and  
JANE ROE

Defendants

**O R D E R**

The Motion for Entry of Default of Defendants Tri-Continental Exchange, LTD and Combined Services Limited filed by plaintiff Joda, LLC on August 4, 2005 (**docket entry 92**) is GRANTED. The Order issued on April 25, 2005 (docket entry 90) granting these defendants a final term of twenty (20) days after notice to appear through new counsel or face the entry of default as a sanction was notified to both defendants, as well as to defendants' liquidators, to the address provided to the Court by their former attorney. While the letters sent to the two defendants were returned by the postal service as undeliverable, the Court notes that these defendants were undergoing liquidation proceedings and that the letter sent to their court-appointed liquidator was never returned. Thus, the Court understands that the liquidator, KPMG, received the April 25, 2005 Order but failed to comply with its provisions. Accordingly, the default of defendants Tri-Continental Exchange, LTD and Combined Services Limited is hereby ENTERED.

Plaintiff's Motion Withdrawing Demand for Jury Trial filed on August 12, 2005 (**docket entry 93**) is GRANTED.

Since the Court has entered default against the two remaining defendants, and plaintiff has withdrawn its demand for a jury trial, the **jury trial scheduled for August 17, 2005 at**

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**2:00 P.M. is VACATED.** Instead, a hearing on damages will be held before **U.S. Magistrate-Judge Justo Arenas on AUGUST 17, 2005 at 3:00 P.M.** Magistrate-Judge Arenas shall file a report and recommendation with the Court by no later than **SEPTEMBER 6, 2005.**

SO ORDERED.

At San Juan, Puerto Rico, on August 17, 2005.

S/CARMEN CONSUELO CEREZO  
United States District Judge